

H.B. 129

ALCOHOLIC BEVERAGE AMENDMENTS RELATED TO MINORS

SENATE FLOOR AMENDMENTS

AMENDMENT 2

FEBRUARY 27, 2009 10:57 AM

Senator **Gene Davis** proposes the following amendments:

1. Page 7, Line 207 through Page 8, Line 216

House Committee Amendments

2-9-2009:

207 (1) {A} Subject to the other provisions of this section, a retail licensee to whom a minor is
liable under Section 32A-14b-201 may bring

208 an action in a court of competent jurisdiction to collect the amount described in Section
209 32A-14b-201.

210 (2) The action allowed under this section may be brought against:

211 (a) the minor; or

212 (b) if the minor is less than 18 years of age, a parent or guardian of the minor.

213 (3) An action under this chapter may not be commenced more than two years after the
214 day on which the applicable fine is imposed by the commission.

215 (4) Nothing in this chapter precludes a cause of action or additional recovery against a
216 minor under law other than this chapter.

(5) Notwithstanding the other provisions of this part:

(a) the state or an agency of the state is not liable under this part when a state agency has legal or
protective custody of, or has guardianship of a minor at the time;

(i) the minor engages in conduct with regard to a violation related to a minor; or

(ii) an applicable fine is imposed on the retail licensee by the commission; and

(b) a retail liquor licensee may not bring an action against the state or an agency of the state under the
circumstances described in Subsection (5)(a).